

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

TERRY ROCKETTE

PLAINTIFF

V.

NO: 3:23CV407-GHD-JMV

**THE CITY OF WATER VALLEY, MS; THE
CARPENTER MANAGEMENT COMPANY;
BERKSHIRE APARTMENT; and DANIEL
MARTIN**

DEFENDANTS

**ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE AND
FINDING AS MOOT PLAINTIFF'S MOTION FOR ADDITIONAL TIME TO
RESPOND TO THE REPORT AND RECOMMENDATION**

Presently before the Court is Plaintiff Rockette's Motion to Dismiss without prejudice and to respond out of time to the Report and Recommendation. [7]. Plaintiff Rockette states that "new facts necessitate a change to the lawsuit and criminal charges" and requests that the Court "dismiss without prejudice[.]" [7]. Plaintiff's motion, in sum, amounts to a voluntary dismissal so that a new lawsuit may be filed with additional, or new, allegations and defendants. After review of the motion and the record, the Court finds that Plaintiff Rockette's Motion [7] should be GRANTED in that it requests dismissal without prejudice. As far as Plaintiff's Rockettes' Motion [7] requests to respond out of time to the Report and Recommendation, the Court finds the Motion MOOT in that regard.

Therefore, it is ORDERED that Plaintiff Rockette's Motion [7] is GRANTED as it requests dismissal without prejudice and MOOT as it concerns the request to respond out of time. Due to the cause being dismissed, this case is now CLOSED.

SO ORDERED, this the 2nd day of January, 2024.



SENIOR U.S. DISTRICT JUDGE